

3:30 P.M., Ohio County Community Center, Hartford, Ky

Meeting called to order by Judge Executive David Jones. Prayer by Magistrate Jason Bullock. Pledge to the American flag.

Those present were as follows:

| | |
|-------------------|-----------------------|
| David G. Jones | Judge Executive |
| Gregory B. Hill | County Attorney |
| Cheryl Morris | Fiscal Court Clerk |
| Hayward D. Minton | Magistrate District 1 |
| Jason Bullock | Magistrate District 2 |
| Richard Robinson | Magistrate District 3 |
| Larry Keown | Magistrate District 4 |
| Bill Burden | Magistrate District 5 |

Motion made by Judge Jones that the Court approve the minutes of the previous meeting on September 23, 2008 as presented. (on file in Fiscal Court Order Book, Clerk’s office)

The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

| | |
|----------|-----|
| Minton | Yes |
| Bullock | Yes |
| Robinson | Yes |
| Keown | Yes |
| Burden | Yes |
| Jones | Yes |

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve the Treasurer’s Financial Statement for the month of September 2008 as presented (copy on file, Clerk’s office).

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

| | |
|----------|-----|
| Minton | Yes |
| Bullock | Yes |
| Robinson | Yes |
| Keown | Yes |
| Burden | Yes |
| Jones | Yes |

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Robinson that the Court approve the following Resolution regarding coal severance monies being disbursed through a KIA Grant Assistance Agreement and Grant Assumption and Assignment Agreement for Project ID# WX21183007/City of Centertown in the amount of \$100,000:

EXHIBIT 1

RESOLUTION

WX21183007

RESOLUTION OF Ohio County Fiscal Court (GRANTEE) ACCEPTING THE GRANT, APPROVING A GRANT AGREEMENT AND A GRANT ASSIGNMENT AND ASSUMPTION AGREEMENT, AUTHORIZING THE AMENDMENT OF LOCAL BUDGET, AND AUTHORIZING A RESPRESENTATIVE TO SIGN ALL RELATED DOCUMENTS

WHEREAS, the General Assembly has appropriated funds for infrastructure projects in the 2008-2010 Budget of the Commonwealth; and

WHEREAS, the Ohio County Fiscal Court (the "Grantee") has previously determined that it is in the public interest to acquire and construct certain facilities and improvements (the "Project"); and

WHEREAS, the Grantee has previously determined and does hereby confirm that it is in the public interest that the Project be acquired and constructed by the City of Centertown (the "Assignee"); and

WHEREAS, the Grantee desires funding from the Kentucky Infrastructure Authority (the "Authority") for the purpose of acquisition and construction of the Project.

NOW, THEREFORE, BE IT RESOLVED by the Ohio County Fiscal Court as follows:

SECTION 1. That the Grantee hereby accepts the grant award and approves the Grant Agreement between the Grantee and the Authority substantially in the form on file with the Grantee for the purpose of providing a portion of the necessary financing for the acquisition and construction of the Project.

SECTION 2. That the Grantee hereby approves the Grant Assignment and Assumption Agreement between the Grantee and the Assignee substantially in the form on file with the Grantee for the purpose of providing for the acquisition and construction of the Project.

SECTION 3. That David Jones is hereby authorized, directed and empowered by the Grantee to execute the Grant Agreement, the Grant Assignment and Assumption Agreement and all other necessary documents or agreements, and to otherwise act on behalf of the Grantee in implementing the Project.

SECTION 4. That the Grantee hereby includes in its annual budget the receipt and expenditures of funds subject to the Agreement with the Authority.

SECTION 5. This Agreement shall take effect immediately upon passage.

ADOPTED on October 14, 2008.

David G. Jones, (Grantee)

David G. Jones, (Representative)

Title: Judge Executive

OCTOBER 2008

Motion made by Esq. Keown that the Court approve the following Resolution regarding a KIA Grant Assistance Agreement and Grant Assumption and Assignment Agreement for Project ID# 122C-2008/WX21183017/Ohio County Water District in the amount of \$125,000:

Title: Judge Executive

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Minton that the Court approve the following Resolution regarding a KIA Grant Assistance Agreement and Grant Assumption and Assignment Agreement for Project ID# 124C-2008/SX21183001/Ohio County Regional Wastewater District in the amount of \$200,000:

RESOLUTION
SX21183001 PROJECT ID# 124C-2008

RESOLUTION OF Ohio County Fiscal Court (GRANTEE) ACCEPTING THE GRANT, APPROVING A GRANT AGREEMENT AND A GRANT ASSIGNMENT AND ASSUMPTION AGREEMENT, AND AUTHORIZING A REPRESENTATIVE TO SIGN ALL RELATED DOCUMENTS

WHEREAS, the General Assembly has appropriated funds for infrastructure projects in the 2008-2010 Budget of the Commonwealth; and

WHEREAS, the Ohio County Fiscal Court (the "Grantee") has previously determined that it is in the public interest to acquire and construct certain facilities and improvements (the "Project"); and

WHEREAS, the Grantee has previously determined and does hereby confirm that it is in the public interest that the Project be acquired and constructed by Ohio County Regional Wastewater District (the "Assignee"); and

WHEREAS, the Grantee desires funding from the Kentucky Infrastructure Authority (the "Authority") for the purpose of acquisition and construction of the Project.

NOW, THEREFORE, BE IT RESOLVED by the Fiscal Court of Ohio County as follows:


SECTION 1. That the Grantee hereby accepts the grant award and approves the Grant Agreement between the Grantee and the Authority substantially in the form on file with the Grantee for the purpose of providing a portion of the necessary financing for the acquisition and construction of the Project.

SECTION 2. That the Grantee hereby approves the Grant Assignment and Assumption Agreement between the Grantee and the Assignee substantially in the form on file with the Grantee for the purpose of providing for the acquisition and construction of the Project.

SECTION 3. That David Jones is hereby authorized, directed and empowered by the Grantee to execute the Grant Agreement, the Grant Assignment and Assumption Agreement and all other necessary documents or agreements, and to otherwise act on behalf of the Grantee in implementing the Project.

SECTION 4. This Agreement shall take effect immediately upon passage.

ADOPTED on _____, 2008

Ohio County Fiscal Court, (Grantee)
, (Representative)
Title: Judge Executive

The motion was seconded by Esq. Bullock and after discussion of said motion the vote being called for was as follows:

| | |
|----------|-----|
| Minton | Yes |
| Bullock | Yes |
| Robinson | Yes |
| Keown | Yes |
| Burden | Yes |
| Jones | Yes |

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve the following Resolution regarding a KIA Grant Assistance Agreement and Grant Assumption and Assignment Agreement for Project ID# 123C-2008/WX21183012/Ohio County Water District in the amount of \$550,000; this money is to be applied toward the \$3 million commitment of the Ohio County Fiscal Court for a new water plant:

RESOLUTION
WX21183012 PROJECT ID# 123C-2008

RESOLUTION OF Ohio County Fiscal Court (GRANTEE) ACCEPTING THE GRANT, APPROVING A GRANT AGREEMENT AND A GRANT ASSIGNMENT AND ASSUMPTION AGREEMENT, AND AUTHORIZING A RESPRESENTATIVE TO SIGN ALL RELATED DOCUMENTS

WHEREAS, the General Assembly has appropriated funds for infrastructure projects in the 2008-2010 Budget of the Commonwealth; and

WHEREAS, the Ohio County Fiscal Court (the "Grantee") has previously determined that it is in the public interest to acquire and construct certain facilities and improvements (the "Project"); and

WHEREAS, the Grantee has previously determined and does hereby confirm that it is in the public interest that the Project be acquired and constructed by Ohio County Water District (the "Assignee"); and

WHEREAS, the Grantee desires funding from the Kentucky Infrastructure Authority (the "Authority") for the purpose of acquisition and construction of the Project.

NOW, THEREFORE, BE IT RESOLVED by the Fiscal Court of Ohio County as follows:

SECTION 1. That the Grantee hereby accepts the grant award and approves the Grant Agreement between the Grantee and the Authority substantially in the form on file with the Grantee for the purpose of providing a portion of the necessary financing for the acquisition and construction of the Project.

SECTION 2. That the Grantee hereby approves the Grant Assignment and Assumption Agreement between the Grantee and the Assignee substantially in the form on file with the Grantee for the purpose of providing for the acquisition and construction of the Project.

SECTION 3. That David Jones is hereby authorized, directed and empowered by the Grantee to execute the Grant Agreement, the Grant Assignment and Assumption Agreement and all other necessary documents or agreements, and to otherwise act on behalf of the Grantee in implementing the Project.

SECTION 4. This Agreement shall take effect immediately upon passage.

ADOPTED on October 14, 2008

Ohio County Fiscal Court, (Grantee)

David Jones, (Representative)

Title: Judge Executive

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

| | |
|----------|-----|
| Minton | Yes |
| Bullock | Yes |
| Robinson | Yes |
| Keown | Yes |
| Burden | Yes |
| Jones | Yes |

And said motion was unanimously adopted, and it is so ordered.

A Hearing is conducted to allow comments from the public regarding the temporary closings of C-056 Bluff Lane and C-057 Turkey Run Lane. No objections were raised on either county road.

Motion made by Esq. Robinson that the Court approve to accept the following Viewers' Report dated October 13, 2008 regarding the temporary closure of 15,860 feet of Bluff Lane in Ohio County, KY:

Commonwealth of Kentucky
Ohio County Fiscal Court
Hartford, KY 42347

October 13, 2008

Re: The matter of the temporary closure of 15,860 feet of Bluff Lane, Ohio County, Kentucky.

In compliance with the Ohio County Fiscal Court Order dated September 2, 2008, we the undersigned viewed the above described County Road. This is a dead-end road in a remote area of Ohio County. We know of no reason that travel other than by property owners would be necessary and we find that there should be no inconvenience resulting from this temporary closure.

Gerald Addington
Gerald Addington, County Road Supervisor

Hillard Farris
Hillard Farris

Jeff Stenberg
Jeff Stenberg

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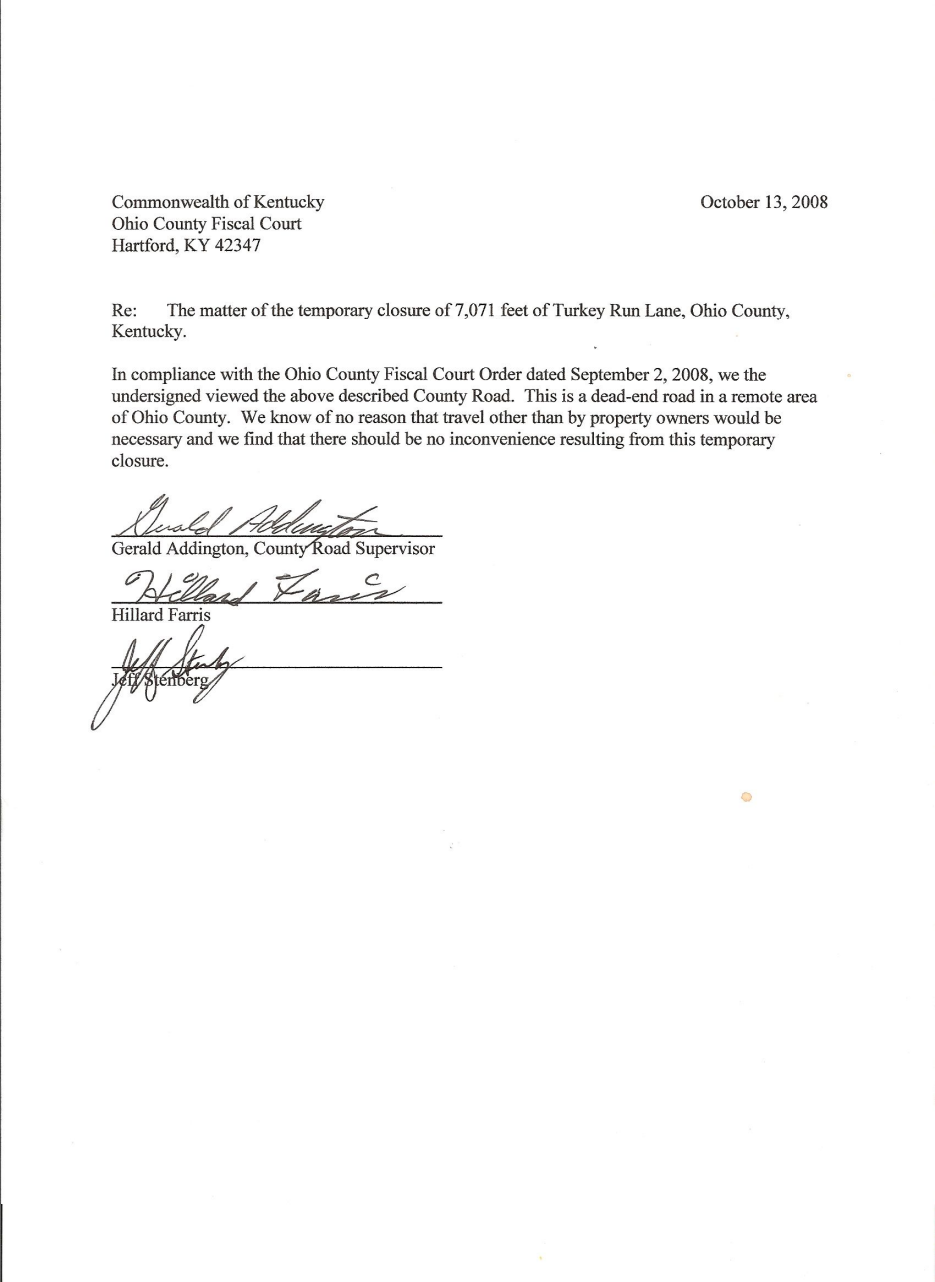
OCTOBER 2008

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

| | |
|----------|-----|
| Minton | Yes |
| Bullock | Yes |
| Robinson | Yes |
| Keown | Yes |
| Burden | Yes |
| Jones | Yes |

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Robinson that the Court approve to accept the following Viewers’ Report dated October 13, 2008 regarding the temporary closure of 7,071 feet of C-057 Turkey Run Lane:



The motion was seconded by Esq. Minton and after discussion of said motion the vote being called for was as follows:

| | |
|----------|-----|
| Minton | Yes |
| Bullock | Yes |
| Robinson | Yes |
| Keown | Yes |
| Burden | Yes |
| Jones | Yes |

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve the Second Reading of Ordinance 2009-2: AN ORDINANCE RELATING TO THE IMPOSITION OF AN OCCUPATIONAL LICENSE TAX BY PERSONS AND BUSINESS ENTITIES CONDUCTING BUSINESSES, OCCUPATIONS AND PROFESSIONS WITHIN OHIO COUNTY, KENTUCKY AND THE REPEAL OF OCCUPATIONAL TAX ORDINANCE 95-4 (copy on file in Ordinance Book, Clerk’s Office).

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

| | |
|----------|-----|
| Minton | Yes |
| Bullock | Yes |
| Robinson | Yes |
| Keown | Yes |
| Burden | Yes |
| Jones | Yes |

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve the Ad Valorem Tax rates per \$100 assessed valuation by special districts and other funds for FY 2008-2009 tax year, to be recorded in the Fiscal Court Order Book:

| <u>Tax District</u> | <u>2008 Real Estate</u> | <u>2008 Tangible</u> |
|--------------------------------|-------------------------|----------------------|
| County: | | |
| Extension Services | \$0.023 | \$0.031 |
| General | \$0.068 | \$0.073 |
| Health | \$0.035 | \$0.035 |
| Library | \$0.067 | \$0.1012 |
| Soil Conservation | \$0.006 | \$0.00 |
| School: | | |
| Ohio County: General | \$0.448 | \$0.448 |
| Special: Caney Creek Watershed | \$0.057938 | \$0.00 |

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

| | |
|----------|-----|
| Minton | Yes |
| Bullock | Yes |
| Robinson | Yes |
| Keown | Yes |
| Burden | Yes |
| Jones | Yes |

And said motion was unanimously adopted, and it is so ordered.

Recommendation by Judge Jones that the Court approve to promote Joe Woods to Assistant Road Supervisor at the rate of \$13.50 per hour effective October 13, 2008.

Roll call vote:

| | |
|----------|-----|
| Minton | Yes |
| Bullock | Yes |
| Robinson | Yes |
| Keown | Yes |
| Burden | Yes |
| Jones | Yes |

And said recommendation was unanimously approved, and it is so ordered.

Motion made by Esq. Minton that the Court approve to award the following bid from Moore Ford in the amount of \$27,454 for a 2008 4 x 4 Truck:



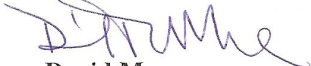
Bid on 4X4 Chevrolet Pickup

Moore Automotive submits the following bid for a 2008 Chevrolet Silverado 2500 4X4

| | |
|-------------------------------|------------|
| ▪ Base Model Truck per Specs. | \$21725.00 |
| ▪ 7'6" Western Plow Plus | \$ 4454.00 |
| ▪ 100 Gallon L-shaped Tank | \$ 680.00 |
| ▪ Tool Box | \$ 595.00 |
| ▪ Total Due | \$27454.00 |

This unit is available for immediate delivery however the tank and tool box would have to be ordered. Thanks for the opportunity to bid on this unit.

Sincerely,


David Moore
Dealer
Moore Automotive

The motion was seconded by Judge Jones and after discussion of said motion the vote being called for was as follows:

| | |
|----------|-----|
| Minton | Yes |
| Bullock | Yes |
| Robinson | Yes |
| Keown | No |
| Burden | Yes |
| Jones | Yes |

Said motion having carried five (5) to one (1) it is so ordered.

Motion made by Judge Jones that the Court approve to adopt the following Resolution regarding The Blues to Bluegrass State Scenic Byway:

RESOLUTION
OHIO COUNTY FISCAL COURT

WHEREAS, Ohio County Fiscal Court, as a member of the Green River Area Development District and The Bluegrass, Blues, & BBQ regional tourism committee, wholeheartedly supported the designation and promotion of the Blues to Bluegrass State Scenic Byway through the counties of Daviess, Hancock, Henderson, McLean, Muhlenberg, Ohio, Union, and Webster; and

WHEREAS, Hopkins County is also part of the state tourism region known as the Bluegrass, Blues & BBQ and annually allocates tourism matching funds in which all of the above counties are members; and

WHEREAS, there are currently no national scenic byways in the northwestern Kentucky region; and

WHEREAS, this area possesses such a rich music history; numerous historic courthouses, museums, monuments, homes, and civil war sites; and

WHEREAS, this State Scenic Byway offers the opportunity to experience even more of this breathtaking region, from the ‘Blues’ of Henderson County and the “Bluegrass’ of Ohio County to the unique barbecue venues the area is known for; and

WHEREAS, the designation of the route to achieve National Scenic Byway designation could create a substantial economic impact through increased tourism dollars spent in our region; and

WHEREAS, the designated State Scenic Byway route on the attached map possesses numerous intrinsic qualities required for designation as a national scenic byway; and

WHEREAS, it is also our intent to include Hopkins County in any marketing strategy for the scenic byway as indicated in the attached proposal and map due to their active and monetary participation in the regional tourism committee and;

WHEREAS, there is a need to develop a corridor management plan for the proposed National Scenic Byway to ensure that these intrinsic qualities are preserved and promoted as well as being a federal requirement for such designation.

NOW, THEREFORE, BE IT RESOLVED, that the Ohio County Fiscal Court hereby offers our support for the national designation of Blues to Bluegrass State Scenic Byway to be hereafter known as the Bluegrass, Blues & BBQ National Scenic Byway; and to support the development of a corridor management plan for the entire designated scenic byway (*see attached 2007 application*) and to include the sections of road through Hopkins County (*as indicated in the second attached 2008 application*) when developing marketing plans for the byway.

PUBLICLY READ AND APPROVED THIS 14th DAY OF OCTOBER 2008.

David G. Jones
Ohio County Judge Executive

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

| | |
|----------|-----|
| Minton | Yes |
| Bullock | Yes |
| Robinson | Yes |
| Keown | No |
| Burden | Yes |
| Jones | Yes |

Said motion having carried five (5) to one (1) it is so ordered.

Motion made by Esq. Keown that the Court approve to go into Closed Session to discuss personnel issues. Personnel issues will be discussed which entails private and personal information which justifies and requires a Closed Session discussion. No other business will be discussed during the Closed Session and no official action shall be taken or consensus made by the Court. The legal authority that allows us to go into closed session is KRS 61.810(1)(f) which authorizes the Fiscal Court to discussions or hearings which might lead to the appointment, discipline, or dismissal of an individual employee, member, or student without restricting that employee’s, member’s or student’s right to a public hearing if requested. This exception shall not be interpreted to permit discussion of general personnel matters in secret. The legal reason we are going into closed session is for discussion of personnel issues.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

| | |
|----------|-----|
| Minton | Yes |
| Bullock | Yes |
| Robinson | Yes |
| Keown | Yes |
| Burden | Yes |
| Jones | Yes |

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court go back into Open Session. No other business was discussed or action taken during Closed Session except what was stated by me before going into Closed Session regarding personnel issues. There was no consensus made by the Court regarding personnel issues.

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

| | |
|----------|-----|
| Minton | Yes |
| Bullock | Yes |
| Robinson | Yes |
| Keown | Yes |
| Burden | Yes |
| Jones | Yes |

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve the bills, claims, payments and transfers as presented, with the exception of the payment to KACo for a claim deductible in the amount of \$1,000 until advised by the County Attorney to pay (copy on file in Clerk’s office).

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

| | |
|----------|-----|
| Minton | Yes |
| Bullock | Yes |
| Robinson | Yes |
| Keown | Yes |
| Burden | Yes |
| Jones | Yes |

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve to allow Sheriff Elvis Doolin to inspect the surplus property held by County Clerk Bess Ralph in the voting machine storage building behind the Hartford Fire Dept. and determine what materials, if any, should be placed in the county auction; all other surplus property is to be discarded and taken to the county landfill for disposal.

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

| | |
|----------|-----|
| Minton | Yes |
| Bullock | Yes |
| Robinson | Yes |
| Keown | Yes |
| Burden | Yes |
| Jones | Yes |

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve to form a Road Committee consisting of all five (5) Magistrates to continually assess county maintained road conditions and inform the Road Foreman of any needed repairs or maintenance.

The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

| | |
|----------|-----|
| Minton | Yes |
| Bullock | Yes |
| Robinson | Yes |
| Keown | Yes |
| Burden | Yes |
| Jones | Yes |

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve to form a Waterline Committee consisting of all five (5) Magistrates to oversee the prioritization and completion of any new waterline projects or extensions to existing waterlines which are to be funded from the Waterline account in the County Budget.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

| | |
|----------|-----|
| Minton | Yes |
| Bullock | Yes |
| Robinson | Yes |
| Keown | Yes |
| Burden | Yes |
| Jones | Yes |

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve to form a Landfill Committee consisting of all five (5) Magistrates with a focus of attention on pursuing and promoting the capture and conversion of methane gas as an alternative source of energy.

The motion was seconded by Esq. Minton and after discussion of said motion the vote being called for was as follows:

| | |
|----------|-----|
| Minton | Yes |
| Bullock | Yes |
| Robinson | Yes |
| Keown | Yes |
| Burden | Yes |
| Jones | Yes |

And said motion was unanimously adopted, and it is so ordered.

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OCTOBER 2008

Motion made by Judge Jones that the Court approve to allow Ohio County Solid Waste Coordinator Larry Morris and County Attorney Greg Hill to work together on developing a Siting Ordinance establishing the criteria for the siting of solid waste management facilities in Ohio County.

The motion was seconded by Esq. Minton and after discussion of said motion the vote being called for was as follows:

| | |
|----------|-----|
| Minton | Yes |
| Bullock | Yes |
| Robinson | Yes |
| Keown | Yes |
| Burden | Yes |
| Jones | Yes |

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve Sheriff Elvis Doolin’s recommendation to hire Linda Hobbs as a Seasonal Employee for up to six (6) months, effective September 29, 2008, at the rate of \$10 per hour.

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

| | |
|----------|-----|
| Minton | Yes |
| Bullock | Yes |
| Robinson | Yes |
| Keown | Yes |
| Burden | Yes |
| Jones | Yes |

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve to reclassify the Meal Drivers at the Ohio County Senior Center from Contract Labor to Part-time county employees effective October 13, 2008 at the rate of \$10 per hour and mileage to be paid at \$0.40 per mile.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

| | |
|----------|-----|
| Minton | Yes |
| Bullock | Yes |
| Robinson | Yes |
| Keown | Yes |
| Burden | Yes |
| Jones | Yes |

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve to add approximately 1,200 feet of waterline extension on Sunnydale Road to the prioritization list at an approximate cost of \$3,500 to \$4,000.

The motion was seconded by Esq. Minton and after discussion of said motion the vote being called for was as follows:

| | |
|----------|-----|
| Minton | Yes |
| Bullock | Yes |
| Robinson | Yes |
| Keown | Yes |
| Burden | Yes |
| Jones | Yes |

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Burden that the Court approve to authorize the Judge Executive to convey a parcel of real property adjacent to the Rosine Veterans’ Memorial property to the Rosine Association, Inc., a non-profit charitable organization.

The motion was seconded by Judge Jones and after discussion of said motion the vote being called for was as follows:

| | |
|----------|-----|
| Minton | Yes |
| Bullock | Yes |
| Robinson | Yes |
| Keown | Yes |
| Burden | Yes |
| Jones | Yes |

And said motion was unanimously adopted, and it is so ordered.

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OCTOBER 2008

Motion made by Esq. Keown that the meeting is adjourned.

The motion was seconded by Judge Jones and after discussion of said motion the vote being called for was as follows:

| | |
|----------|-----|
| Minton | Yes |
| Bullock | Yes |
| Robinson | Yes |
| Keown | Yes |
| Burden | Yes |
| Jones | Yes |

And said motion was unanimously adopted, and it is so ordered.

Meeting is adjourned.

David Jones, Judge Executive

Cheryl Morris, Fiscal Court Clerk